

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
ALEXANDRIA DIVISION

MCKENNA ADVISORS LLC,

Petitioner,

v.

PGA TOUR, INC.,

Respondent,

CASE NO. 1:23-mc-8-RDA-WEF

**DECLARATION OF GREG NORMAN IN SUPPORT OF LIV'S RESPONSE TO PGA
TOUR'S MOTION TO FILE UNDER SEAL ITS MEMORANDUM OF LAW IN SUPPORT
OF MOTION TO TRANSFER PURSUANT TO FED. R. CIV. P. 45(F) AND EXHIBIT 6 IN
SUPPORT THEREOF**

1 I, Greg Norman, hereby declare and state:

2 1. I am the Chief Executive Officer of LIV Golf, Inc. ("LIV"). I am authorized by LIV to
3 make this statement in support of sealing portions of PGA Tour's Memorandum of Law in Support of
4 Motion to Transfer Pursuant To Fed. R. Civ. P. 45(f) ("Memorandum") and accompanying Exhibit 6.
5 See ECF 24. I make the statements in this declaration based on personal knowledge, personal
6 experience, and personal participation in communications with business associates. If called and sworn
7 as a witness, I could and would testify to the facts stated in this declaration.

8 2. Exhibit 6 to the Memorandum is a highly confidential engagement agreement, described
9 on pages 2-4, and 8 of the Memorandum. This engagement agreement describes plans and strategy for
10 LIV's formation and development, and capital expended on developing LIV. It also contains
11 information about the negotiated terms of indemnification, the disclosure of which would cause
12 competitive harm. Disclosure would create an uneven playing field for LIV's ability to negotiate with
13 other advisors and consultants for similar future service provisions. Others would be able to use the
14 terms in this agreement as a floor or benchmark. Disclosure would similarly distort the negotiation of
15 the financial terms in future contracts with similar advisors, who would have access to information
16 about what LIV has paid for similar services. Finally, disclosure would affect the course of litigation
17 with respect to third party advisors and consults retained by LIV in the future by exposing and creating
18 divisions based on the indemnification limitations and procedures in place.

19 I declare under penalty of perjury under the laws of the United States of America that the
20 foregoing is true and correct.

21 Executed on May 3, 2023.



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23 Greg Norman
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